

REGULAR MEETING of the Burrillville Town Council to be held Wednesday, August 22, 2007 at 9:10 P.M. in the at the Burrillville High School Media Center, 425 East Avenue, Harrisville for and within the Town of Burrillville.

PRESENT: Council President Nancy F. Binns, Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe

MEMBERS ABSENT: None

1. Council President Nancy F. Binns led those present in pledging allegiance to the flag.

2. VOTED to accept the minutes of the regular meeting held July 25, 2007 and dispense with the reading of said minutes.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

VOTED to grant the request from Louise R. Phaneuf, Town Clerk, to continue to the next meeting the question of accepting the minutes of the special meeting held Tuesday, July 31, 2007, due to her absence

from the office.

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

3. Public Comment: None

4. General Good and Welfare of the Town of Burrillville

07-252 Correspondence from Cheri R. Hall, CCRP, Director of Parks and Recreation regarding her request to show the Bicentennial DVD to the Town Council.

Cheri R. Hall and Patricia Mehrtens, Town Historian, showed the Bicentennial DVD. Ms. Hall acknowledged Mrs. Mehrtens work, noting that rights to the DVD had been donated to the Recreation Department, which will have them available at cost.

Michael C. Wood, Town Manager, discussed a press release related to traffic management along East Avenue during the construction near the High School.

Councilor Margaret L. Dudley, announced that the cookbooks, which

are being sold in support of the library project, are available at the library.

Councilor Dudley discussed the second phase of the Library Capital Campaign Committee's fundraising efforts.

Councilor Dudley noted that the Oakland/Mapleville Firemens' Muster is scheduled for September 2, 2007; she encouraged participation.

Councilor Norman C. Mainville commented on the Mencucci's Bicentennial documentary, to be shown at the Assembly during the Labor Day weekend; he encouraged attendance.

Councilor Mainville reported on progress at the rink.

Councilor Blais apologized in advance, should he be unable to participate in some of the votes during the meeting because the equipment at the Media Center was not conducive to his handicap.

Councilor John M. Karmozyn, Jr. spoke of the mock trial conducted on Monday, August 20, 2007, under the direction of Ms. Kathan Mospaw. Councilor Karmozyn commended participants.

Councilor Karmozyn raised concerns about trash removal. It was suggested that the matter be brought to the attention of the Recycling Coordinator. Efforts that are underway to improve the situation were

discussed.

5. Petitions: None

Council President Nancy F. Binns noted that item #07-265 would be taken up at this point on the agenda.

Councilor Wallace F. Lees recused from discussion of item #07-265.

7-265 Correspondence from Shirley Hodson, Burrillville Senior Center Task Force Subcommittee requesting the appropriation of funds for the feasibility study for map 162, lot 50 as the site for the Burrillville Senior Center.

Shirley Hodson, Chairperson of the Senior Center Feasibility Study Committee, requested an appropriation of funds not to exceed \$8,000 for the feasibility study.

VOTED to approve spending of up to \$8,000 from Major Capital as an appropriation for the feasibility study.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The motion carried, six in favor, one refusal. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilor

Wallace F. Lees recused.

6. Special Business:

07-260 Swearing in ceremony of Probationary Patrolman Henry Yakey.

The item was continued to September 12, 2007.

07-261 Proclamation honoring the Kenoian Family and Staff of Overlook Nursing and Rehabilitation Center on the occasion of the 50th Anniversary of the Center.

The item was continued to September 12, 2007.

07-262 VOTED to grant a Special Event Victualing House License to the Calvary Episcopal Church to apply on August 26 and November 3, 2007 on property owned by the Episcopal Diocese of Rhode Island (Assessor's Map 174, Lot 24).

Motion by Councilor Wallace F. Lees. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

07-263 VOTED to grant a Special Event Victualing House License and a Class F Liquor License to Oakland Mapleville Fire Department to apply on September 2, 2007 (rain date September 3, 2007) on property owned by Adler Brothers Development (Assessor's Map 162, Lot 40).

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

07-264 VOTED to approve an annual rubbish license to Coastal Recycling Inc., upon receipt of payment of \$25.00 per truck.

Motion by Councilor Kevin M. Blais. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

7. Unfinished Business:

07-235 VOTED to grant the Administration authority to implement the use of credit cards as a method of making tax payments, subject to being able to make the necessary system adjustments and receiving a contract that is acceptable to the Town Solicitor.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

8. New Business:

07-265 Correspondence from Shirley Hodson, Burrillville Senior Center Task Force Subcommittee requesting the appropriation of funds for the feasibility study for map 162, lot 50 as the site for the Burrillville Senior Center.

Note: Item #07-265 was addressed earlier on the agenda.

07-266 VOTED to approve the request from Edward J. Pienkos, Information Systems Manager, to declare surplus certain cell phones, as listed, and to donate the phones to the Rhode Island Coalition Against Domestic Violence.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

07-267 VOTED to accept the recommendation Kevin Cleary, PE, Town Engineer/Recycling Coordinator relative to reinvesting the RIRRC 2007 Recycling Participation Reimbursement in local recycling programs.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: It was noted that the funds would be deposited in a revolving fund that had been established previously.

07-268 VOTED to receive the correspondence from David Carlin, Northern RI Chamber of Commerce regarding “Special Under the Dome” Legislative Update.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: The Town Council would review the update and notify

the Town Manager or Town Clerk if they wanted to recommend action on these bills to the town's legislators.

07-269 VOTED to approve abatements entered between January 1, 2007 and June 28, 2007 in the amount of \$38,233.82.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Cynthia L. Roe. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

07-270 VOTED to appoint Councilor Cynthia L. Roe as liaison to the Burrillville Extended Care Program.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Margaret L. Dudley. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

9. Town Clerk/Communication:

07-271 VOTED to open the correspondence from Louise R. Phaneuf, Town Clerk, regarding the Buck Hill Fire Tower.

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

Discussion: Disclosure of April 12, 2006 executive session vote relative to acquisition of Buck Hill Fire Tower. Michael C. Wood noted for the record that the Town Council had approved a transfer of property at no cost to the town from the owners of the Buck Hill Fire Tower and that the tower would be used for communication equipment.

VOTED to file.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Norman C. Mainville. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

07-272 VOTED to receive and file the correspondence from the Department of Environmental Management, Office of Water Resources, Freshwater Wetlands Program, regarding a permit to alter freshwater wetlands, application #05-0542 in reference to property located approximately 750 feet west of Wallum Lake Road, opposite

utility pole #90, approximately 750 feet west-northwest of Stone Barn and West Wallum Lake Roads (Plat 70, Lot 33).

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

07-273 VOTED to receive and file the correspondence from the Department of Environmental Management, Office of Water Resources, Freshwater Wetlands Program, regarding insignificant alteration permits:

#07-223 in reference to property located at 55 Cove Road (Assessor's Map 100, Block 3, Lot 22).

#07-0159 in reference to property located along Bronco Highway, beginning approximately 1,000 feet south southwest of the intersection of Bronco Highway and Central Street (Assessor's Plat 195, Lot 2 and Assessor's Plat 213, Lots 9 and 10).

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M.

Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

10. VOTED to receive reports 1 – 27 as follows:

- 1. Town Treasurer: No report**
- 2. Burrillville Sewer Commission: Report of July 2007, Meetings of July 10 & 16, 2007**
- 3. Tax Collector: Report of July 2007**
- 4. Department of Public Works: Report of July 2007**
- 5. Chief of Police: Report of July 2007**
- 6. Office of Building Official: Report of July 2007**
- 7. Animal Control Officer: Report of July 2007**
- 8. Burrillville Housing Authority: No report**
- 9. Planning Board: Meeting of July 9, 2007**
- 10. Zoning Board of Review: No report**
- 11. Town Planner: No report**
- 12. Parks and Recreation Department: No report**
- 13. Information Systems Department: No report**
- 14. Burrillville Conservation Commission: No report**
- 15. Juvenile Hearing Board: No report**
- 16. Ordinance Subcommittee: Meeting of July 13, 2007**
- 17. Redevelopment Agency: Meetings of May 22 & June 26, 2007**
- 18. Route 102 Study Commission: No report**
- 19. B-PAC: No report**
- 20. Personnel Board: Meeting of June 12, 2007**
- 21. Screening Subcommittee: No report**

- 22. Downtown Pascoag and Neighborhood Association: No report**
- 23. Budget Board: No report**
- 24. Library Building Committee: Meeting of July 11, 2007**
- 25. Burrillville School Committee: No report**
- 26. Library Fundraising Committee: No report**
- 27. Callahan School Building Committee: Report of August 5, and Meetings of February 26 & April 9, 2007**

Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

11. Additional New Business:

07-274 VOTED to grant:

Request for Executive Session from Michael C. Wood, Town Manager, pursuant to Rhode Island Open Meeting Act; [42-46-5 (a)(5)] for review, discussion and considerations related to the acquisition, sale and exchange of real property relative to

1. Assessor's Map 175, Lot 041 [96 Pascoag Main St. (Laundromat building)]; and

2. Assessor's Map 178, Lot 5 [Clear River Road] and Town owned land [Commerce Park.].

and request for Executive Session from Timothy F. Kane, Town Solicitor, pursuant to Rhode Island Open Meeting Act; [§42-46-5(a)(2)] to consider, discuss and act on litigation matters – Private Industry Council (C.A. No. 02-7096) and [§42-46-5(a)(4)] to consider, discuss and act on investigative proceedings regarding allegations of civil or criminal misconduct;

and request for Executive Session from Assistant Town Solicitor Benjamin Scungio pursuant to Rhode Island Open Meeting Act [42-46-5 (a)(2)] for consideration and discussion relative to potential litigation – collective bargaining agreement between the Burrillville School Committee and Burrillville Teachers' Association.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

**Note: There was a brief recess before the executive session.
The Council returned to open session at 11:08 P.M.**

VOTED to seal the minutes of executive session, noting that four (4)

votes had been taken.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

12. VOTED to adjourn at 11:10 P.M.

Motion by Councilor Norman C. Mainville. Seconded by Councilor Wallace F. Lees. The vote was unanimous. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Wallace F. Lees, Kevin M. Blais, Margaret L. Dudley, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe.

The meeting was taped. The tape is on file with the record of the meeting.

Louise R. Phaneuf, Town Clerk